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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 CITY OF CAPITOLA, ) Case No.: 5:12-CV-03428-LHK  
11 )  
12 Plaintiff, ) **ORDER GRANTING SECOND**  
13 ) **STIPULATED REQUEST TO ENLARGE**  
14 v. ) **TIME AND DENYING AS MOOT**  
15 ) **DEFENDANT’S MOTION TO ENLARGE**  
16 LEXINGTON INSURANCE COMPANY, ) **TIME AND MOTION TO SHORTEN**  
17 and DOES 1 through 100, inclusive, ) **TIME**  
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19 A hearing for Plaintiff’s Motion for Partial Summary Judgment is currently scheduled for  
20 July 18, 2013.

21 On March 22, 2013, Defendant Lexington filed (1) a Motion to Enlarge Time to Oppose  
22 Plaintiff’s Motion for Partial Summary Judgment, ECF No. 63, requesting to extend the deadline  
23 from March 29, 2013 to May 24, 2013, and (2) a Motion to Shorten Time on Motion to Enlarge  
24 Time, ECF No. 62. On March 25, 2013, Plaintiff filed an objection to Defendant’s Motion to  
25 Shorten Time. ECF No. 25. Also on March 25, 2013, Defendant filed a Response to Plaintiff’s  
26 Objection. ECF No. 66.

1 On March 28, 2013, the parties filed a Second Stipulated Request for an Order Enlarging  
2 Time for Opposition to Partial Summary Judgment Motion, stipulating to enlarge Defendant's  
3 time to oppose summary judgment until April 5, 2013, with Plaintiff's Reply now due on April  
4 19, 2013. ECF No. 70. The parties indicate that good cause exists to grant the stipulated  
5 extension because parties are actively engaged in productive settlement negotiations.

6 The parties' stipulation is hereby GRANTED, and Defendant's Motion to Enlarge Time  
7 and Motion to Shorten Time are DENIED as moot. Any future motions to change time shall  
8 comply with Northern District of California Civil Local Rule 6.

9 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

10 Dated: March 28, 2013

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Honorable Lucy H. Koh